

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Christopher M. Magee,

Petitioner,

v.

Case No. 1:21-cv-123

Warden, Chillicothe
Correctional Institution,

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on July 22, 2025 (Doc. 15).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties may forfeit rights on appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 15) have been filed and the time to do so has expired.

Accordingly, it is **ORDERED** that the R&R (Doc. 15) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Petitioner’s unopposed motion for reinstatement of this action (Doc. 14) is **GRANTED** and the Court’s Order entered on October 21, 2021, administratively staying the action and terminating the case on the Court’s active docket (Doc. 10) is **VACATED**.

Respondent is **ORDERED** to file a supplemental answer/return of writ and supplemental state court record within sixty (60) days of the date of this Order

addressing the effect, if any, that petitioner's exhaustion of his state-court remedies has on the procedural default arguments advanced in respondent's pending answer/return of writ. (See Doc. 6, at PageID 596-600). Petitioner is **GRANTED** twenty-one (21) days after respondent's supplemental filings to file and serve a reply.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court